

RENTON CITY COUNCIL
Regular Meeting

July 23, 2007
Monday, 7 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Kathy Keolker called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

TONI NELSON, Council President; DAN CLAWSON; DENIS LAW; TERRI BRIERE; MARCIE PALMER; DON PERSSON; RANDY CORMAN.

**CITY STAFF IN
ATTENDANCE**

KATHY KEOLKER, Mayor; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; ALEX PIETSCH, Economic Development Administrator; SUZANNE DALE ESTEY, Economic Development Director; BOB HANSON, Transportation Design Supervisor; TERRY HIGASHIYAMA, Community Services Administrator; GERALD RERECICH, Recreation Director; VINCENT ORDUNA, Cultural Arts Coordinator; MARTY WINE, Assistant CAO; PROVISIONAL DEPUTY CHIEF MARK PETERSON, Fire Department; COMMANDER KATIE MCCLINCY, Police Department.

**SPECIAL
PRESENTATIONS**

Community Services:
"Seussical" Teen Musical
Performance Excerpts

Recreation Director Rerecich announced that Renton's annual 2007 summer teen musical, "Seussical," will run from July 27 through August 12 at Carco Theatre. He introduced Cultural Arts Coordinator Orduna who explained that the musical is a compilation of Dr. Seuss stories. Mr. Orduna introduced cast members Matthew Ehle, Jake Nicholson, and Tyler Davis who performed two sample numbers from the show.

Community Services: Gene
Coulon Park, Citizen
Assistance

On another topic, Mr. Rerecich recognized Tyler Davis for providing assistance to a citizen who accidentally drove his car off the boat launch at Gene Coulon Memorial Beach Park on July 18. He reported that Mr. Davis, a lifeguard at the park, pulled the citizen out of Lake Washington.

Community Services: Spirit of
Washington Dinner Train
Recognition

Mayor Keolker emphasized that it has been a pleasure having the Spirit of Washington Dinner Train in Renton, that is has been a wonderful amenity, and that she is sorry the train has to relocate.

A proclamation by Council President Nelson was read recognizing the Spirit of Washington Dinner Train's contributions and involvement in the Renton community and its continuing partnership in the operation of the Spirit of Washington Events Center. **MOVED BY LAW, SECONDED BY BRIERE, COUNCIL CONCUR IN THE PROCLAMATION. CARRIED.**

Council President Nelson presented Eric Temple, Spirit of Washington Dinner Train President, with an award in appreciation. Mr. Temple thanked the City of Renton, Mayor, and Council for supporting the Spirit of Washington Dinner Train over the years. Mr. Temple indicated that he wanted the dinner train to remain in Renton, and expressed his hope that the train played a small role in the resurgence of downtown Renton.

**ADMINISTRATIVE
REPORT**

Assistant CAO Wine reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2007 and beyond. Items noted included:

- * "Discover the Heart of Renton!" at IKEA Renton River Days, a family festival celebrating pride in the community July 25 through July 29.
- * A break in a high-pressure gas line on N. 8th St. near Park Ave. N. on July

18 shut down construction along Park Ave. N. from N. 8th St. to Logan Ave. N. for most of the day. As a result, Park Ave. N. will remain closed through July 25, while certain required work by the contractor and Renton is completed.

- * The City has received an application for a T-Mobile monopole at SE 3rd Pl. through the administrative conditional use permit process for which written comments are due to the Development Services Division by 5 p.m. on July 24.

AUDIENCE COMMENT

Citizen Comment: Gitchel - T-Mobile Monopole Placement, SE 3rd Pl, CU-07-065

Charles Gitchel, 4401 SE 3rd Pl., Renton, 98059, indicated that a 60-foot cell phone tower is proposed to be located 45 feet from his home. Mr. Gitchel expressed his concerns regarding the real and perceived dangers of frequency radiation, and the negative effect the tower placement will have on property values.

MOVED BY CORMAN, SECONDED BY LAW, COUNCIL ALLOW THE SPEAKER FIVE MORE MINUTES FOR HIS COMMENTS. CARRIED.

Stating that the City's cell tower regulations need to be modified, Mr. Gitchel stressed that towers should not be placed in neighborhoods, and he suggested alternate locations for the tower.

At the request of Councilmember Corman, Mayor Keolker reviewed the administrative conditional use permit process for this project. The application was submitted by T-Mobile on June 29 and written public comments are due by 5 p.m. on July 24. The environmental determination and administrative decision is followed by a 14-day appeal period, and if appealed, the matter will be heard by the Hearing Examiner. The Hearing Examiner's decision is followed by another 14-day appeal period, and if appealed, the matter will be heard by the City Council.

City Attorney Warren pointed out that the audience comment portion of the meeting is an open public forum and Council can listen to the comments related to this project until such time that an appeal to Council is filed, if one is filed. Mr. Warren further pointed out that the Federal Communications Commission and Congress passed regulations that prohibit cities from considering frequency and radiation of cell phone towers as a condition for denying towers.

Councilmember Clawson noted his unhappiness with the federal regulations. He stated that if Council were to change the City's regulations, the changes would not be effective as to this application since it is already in process.

In response to Councilmember Corman's inquiry, City Attorney Warren said such things as property valuation and aesthetics are appropriate topics that could be considered.

Citizen Comment: Ekness - T-Mobile Monopole Placement, SE 3rd Pl, CU-07-065

Michael Ekness, 4400 SE 3rd Pl., Renton, 98059, expressed his opposition to the placement of a cell phone tower near his home for aesthetic reasons. He indicated that the tower will look out of place and will negatively affect property values whether or not radiation is real or perceived. Mr. Ekness pointed out other areas where the tower would be better placed, and he asked the City to work with cell phone companies to find better places for the towers.

Citizen Comment: Peschek - Maplewood Golf Course, RiverRock Restaurant Noise

Dennis Peschek, 13451 SE 141st St., Renton, 98059, said he spoke to Council last year and has repeatedly contacted the Police Department regarding the amplified music that emanates from the RiverRock restaurant at Maplewood Golf Course on Friday and Saturday nights during the summer. Mr. Peschek

reported that he expressed his concerns regarding the noise to the King County Council and an aide to King County Councilmember Reagan Dunn is looking into the matter. He encouraged the City to take action on this noise problem.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of 7/16/2007

Approval of Council meeting minutes of 7/16/2007. Council concur.

Appointment: Advisory Commission on Diversity

Mayor Keolker appointed the following individuals to the Advisory Commission on Diversity: Serena Aquino, 4317 SE 4th Pl., Renton, 98059 (term expires 12/31/2009); Audrey Godwin, 913 S. 32nd St., Renton, 98055 (term expires 12/31/2009); Raymond Lam, 511 Rosario Pl. NE, Renton, 98059 (to fill the unexpired term, 12/31/2007, of Kelly Roberts who resigned); and Erica Rehberg, 1300 S. Eagle Ridge Dr., R-1119, Renton, 98055 (term expires 12/31/2009). Refer to Community Services Committee.

CAG: 07-104, 2007 Street Overlay with Curb Ramps, Lakeside Industries

City Clerk reported bid opening on 7/17/2007 for CAG-07-104, 2007 Street Overlay with Curb Ramps; three bids; engineer's estimate \$846,842.21; and submitted staff recommendation to award the contract to low bidder, Lakeside Industries, in the amount of \$856,702.77. Council concur.

Plat: Monterey Place II, NE 16th St, FP-07-040

Development Services Division recommended approval, with conditions, of the Monterey Place II Final Plat; two single-family lots on an 11,459 square foot parcel located at NE 16th St. and Monterey Ave. NE. Council concur. (See page 258 for resolution.)

Finance: Capital Expenditure Reimbursement from Utility Bond Revenue

Finance and Information Services Department requested authorization to reimburse certain capital expenditures from the proceeds of the sale of utility revenue bonds to be issued in the future. Refer to Finance Committee.

Vacation: Index Pl NE, A&D Quality Construction Company, VAC-07-001

Technical Services Division reported receipt of appraisal performed for the vacation of a portion of Index Pl. NE, north of NE 7th St. (petitioner A&D Quality Construction, LLC), and requested Council accept the appraisal and set compensation at \$57,300 for the right-of-way. Council concur.

CAG: 01-155, Maple Valley Hwy (SR-169) HOV/Queue Jump Phase 2, WSDOT

Transportation Systems Division recommended approval of two supplements to CAG-01-155, agreement with Washington State Department of Transportation for Maple Valley Hwy. (SR-169) HOV/Queue Jump Improvements Phase 2, regarding cost sharing terms and adding \$2,500,000 in construction funding and construction management services. Council concur. (See page 259 for resolution.)

MOVED BY NELSON, SECONDED BY PALMER, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

CORRESPONDENCE

Citizen Comment: Gitchel - Wireless Communications Facilities Regulations

Correspondence was read from Chuck Gitchel, 4401 SE 3rd St., Renton, 98059, requesting modification to the cell phone tower regulations, claiming that towers hinder property owners' ability to sell their homes.

Added

Citizen Comment: Various - T-Mobile Monopole Placement, SE 3rd Pl, CU-07-065

Correspondence was entered into the record from the following parties expressing concerns regarding the proposal to place a T-Mobile monopole at SE 3rd Pl.: James Scott Daljleish; Bruce and Ruth Rutledge; Charles D. Gitchel and Frances L. Gitchel; Stephen T. Ames, Prudential NW Realty; Bonnie Watson, Keller Williams Realty; Joyce M. Crock; Doug Mears; Pauline Blue; Anne Miller; Gail and Anthony Knell; Cory and Lori Foster; Joel and

Heidy Barnett; J.E. Telquist; Dennis and Cindy Shimmel; James and Kimberly Stark;

Terry Clough; Roger E. Berry and Vickey L. Berry; Joel G. Smith; John Megow; John Ehle; Stephen Northcraft; and Michael and Debby Ekness.

MOVED BY BRIERE, SECONDED BY LAW, COUNCIL REFER ALL CORRESPONDENCE REGARDING THE CELL TOWER ISSUE TO THE ADMINISTRATION. CARRIED.

Citizen Comment: Draper - Northwest Pipeline

Correspondence was read from Del Draper, Williams, PO Box 58900, Salt Lake City, UT, 84158, providing information regarding the Northwest Pipeline, a high-pressure natural gas transmission pipeline, which crosses through Renton and is operated by Williams. MOVED BY LAW, SECONDED BY PERSSON, COUNCIL REFER THIS CORRESPONDENCE TO THE PUBLIC SAFETY COMMITTEE FOR A BRIEFING. CARRIED.

Councilmember Law clarified that he wants a briefing from staff regarding the pipelines going through Renton that are vulnerable in the event of a major disaster.

UNFINISHED BUSINESS
Planning & Development
Committee

Planning: Highlands Task Force, Phase II

Planning and Development Committee Chair Briere presented a report recommending concurrence in the staff recommendation to approve the following appointments to the Highlands Phase II Task Force:

1. Robert Bonner, Planning Commission
2. Howard McComber, Highlands Neighborhood Association
3. Penny Eskenazi, Property Owner
4. Jennifer Hawton, Property Owner
5. Evelyn Mitchell, Property Owner
6. Roxanne Johnson, Property Owner
7. Sandel DeMastus, Renter
8. LeKechia Jones, Renter
9. Scott Anderson, St. Andrew Presbyterian Church
10. Marcie Maxwell, Renton School District Board
11. Steven Beck, Business Owner/Property Owner
12. Jerri Broeffle Jr., Business Owner/Resident/Property Owner
13. Kim Howard, Business Owner/Resident/Property Owner
14. Duc Tran, Business Owner
15. Vacant, Renton Housing Authority Board
16. Chuong Brian Do, (Alternate) Property Owner

MOVED BY BRIERE, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. Mayor Keolker recognized those task force members present in the audience and thanked them for their willingness to serve.

Finance Committee
Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 261797 - 262336 and two wire transfers totaling \$3,429,584.35; and approval of 315 Payroll Vouchers, zero wire transfers, and 723 direct deposits totaling \$1,384,003.47. MOVED BY PERSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

RESOLUTIONS AND ORDINANCES

Resolution #3894

The following resolutions were presented for reading and adoption:

A resolution was read approving the Monterey Place II Final Plat consisting of

Plat: Monterey Place II, NE
16th St, FP-07-040

11,459 square feet located between Monterey Ave. NE and Monterey Ct. NE and NE 16th St. MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3895

CAG: 01-155, Maple Valley
Hwy (SR-169) HOV/Queue
Jump Phase 2, WSDOT

A resolution was read authorizing the Mayor and City Clerk to execute supplements to contract CAG-01-155 with the Washington State Department of Transportation for the construction of the Maple Valley Hwy. (SR-169) HOV/Queue Jump Improvements Phase 2. MOVED BY BRIERE, SECONDED BY PALMER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

NEW BUSINESS

Development Services: Clover
Creek Homeowners
Association, Building
Practices & City Inspections

In response to Councilmember Palmer's inquiry regarding the status of the investigation regarding the building practices and City inspections associated with the Clover Creek subdivision, City Attorney Warren stated that a response has been drafted and is forthcoming.

Development Services:
Wireless Communications
Facilities Regulations

Councilmember Persson inquired as to whether the City's cell phone tower regulations should be reviewed. Councilmember Briere noted that the ordinance was reviewed not too long ago. Councilmember Clawson suggested having the City Attorney investigate whether there have been any changes in the law. City Attorney Warren briefly reviewed the issue, pointing out that any changes to the law, particularly those by the Federal Communications Commission, have not been to the advantage of cities and citizens. Councilmember Briere suggested that a briefing on the City's regulations occur at a future Committee of the Whole meeting.

Budget: Position Requests

Councilmember Persson asked to see all of the positions that are requested in the City's budget.

AUDIENCE COMMENT

Citizen Comment: Slaughter -
T-Mobile Monopole
Placement, SE 3rd Pl, CU-07-
065

Van Slaughter, 4409 SE 3rd Pl., Renton, 98059, expressed concern about the proposed cell phone tower at SE 3rd Pl., saying that he does not agree with where the tower is to be placed.

**EXECUTIVE SESSION
AND ADJOURNMENT**

MOVED BY NELSON, SECONDED BY PALMER, COUNCIL RECESS INTO EXECUTIVE SESSION FOR APPROXIMATELY 30 MINUTES TO DISCUSS LITIGATION WITH NO OFFICIAL ACTION TO BE TAKEN AND THAT THE COUNCIL MEETING BE ADJOURNED WHEN THE EXECUTIVE SESSION IS ADJOURNED. CARRIED. Time: 8:11 p.m.

Executive session was conducted. There was no action taken. The executive session and the Council meeting adjourned at 8:40 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann
July 23, 2007